



Minnesota State High School League
2100 Freeway Boulevard
Brooklyn Center, MN 55430

MINUTES OF THE BOARD OF DIRECTORS MEETING
Thursday, February 3, 2022

The meeting of the Board of Directors of the Minnesota State High School League convened at the Minneapolis Marriott West in St. Louis Park, Minnesota. President Jerome called the meeting to order at 9:46 a.m. All current members of the Board of Directors were present except John Vraa. All members of League Executive Staff were present except Assistant Director, Amy Doherty for all or portions of the meeting.

Others attending all or portions of the meeting included:

Roger Aronson, MSHSL Lobbyist/Special Projects Counsel
Kevin Beck, MSHSL Legal Counsel, *Kelly & Lemmons, P.A*
Kristina Borgen, *Kelly & Lemmons, P.A.*
Joe Caffrey, Photographer, *KSTP*
Jeff Ellerd, Parent, *St. Paul*
Lee Hutton, Attorney, *The Hutton Firm*
Jim Johnson, Parent, *Lakeville*
Kari Johnson, Parent, *Lakeville*
Ryan Johnson, Student, *Lakeville*
Amanda Johnson, Executive Assistant, *MSHSL*
Erik Lilleberg, Spouse of Member Lilleberg
Michael Keller, Parent
Tim Leighton, Communications Coordinator, *MSHSL*
Laura Mackenthun, Assistant Director, *MSHSL*
Rich Matter, Assistant Director, *MSHSL*
John Millea, Media Specialist, *MSHSL*
Jason Nickleby, Coordinator of Officials, *MSHSL*

Reflection by Member Sandra Setter Larsen

At the request of the President, a moment of silence was observed for Jamari Rice, a Minneapolis North High School student recently killed in a school-related shooting.

Pledge of Allegiance

Motion by Sandra Setter Larsen and second by Engebretson to approve the meeting agenda and consent agenda. Motion passed unanimously.

Minutes Approved

Motion by Peschel and second by Hautala to approve the minutes of the December 2, 2021 Board of Directors Meeting. Motion passed unanimously.

Individuals or Delegations on Agenda Issues

Motion by Heier and second by Quednow to enter the meeting into a closed session at 9:48 a.m. to discuss non-public educational data pursuant to MS 13D.05 Subd. 2(a)(3). Motion passed unanimously.

Motion by Smokrovich and second by McDonald to re-open the Board Meeting at 10:25 a.m. Motion passed unanimously.

Legislative Report Received

League Lobbyist Roger Aronson shared updates from the State Legislature including information on the budget surplus, from the State Legislature that convened on Jan. 31, 2022. Shared information on proposed action in State Statute conforming to League's current size of the Board of Directors.

Legal Counsel's Report Received

Legal Counsel Kevin Beck reported one settled case and no pending litigation. Introduced Legal Counsel Kristina Borgen, with Kelly and Lemmons, who will be assisting in League representation.

Executive Director's Report Received

The Executive Director's Report was received and shared by Executive Director Erich Martens and included:

- The Minnesota State High School League Foundation Board of Directors took action to approve the schools who completed Form A applications and sent checks totaling \$450,000 to more than 270 member schools. These funds are earmarked to go to schools for the purpose of reducing barriers that limit a student's ability to participate.
- The League hosted a booth on Thursday, Jan. 13 during the MSBA Leadership Conference. League Executive Staff presented at two sessions.
- A recent Principals Advisory Committee meeting on Jan. 26 featured discussion regarding activities, academics, staffing, as well as the challenges and successes in member schools.
- The League also presented during the MASSP Conference on Jan. 27.
- Board Member May Thao-Schuck was selected to serve as the co-chair of the Diversity, Equity and Inclusion Committee along with Tony Fisher, the athletics director of the Minneapolis Public School District. May Thao-Schuck provided an update on the DEI Committee, including a book study that will be conducted in the coming months.
- Yielded the floor to League Staff who shared news that former Board Member and League Hall of Fame inductee Bill Webb was selected the NFHS Citation Award winner for Music. Webb will be honored on June 30 during the NFHS Summer Meeting. Webb is also a finalist in the Fine Arts category for the national high school hall of fame.
- Reviewed the recent Debate State Tournament that was held in a virtual format and previewed the One Act Play State Festival planned for Feb. 10 and 11 at O'Shaughnessy Auditorium on the campus of St. Catherine University.
- League Staff is reviewing enrollment information requested from the Minnesota Department of Education. In the "off year" of classification, the League will monitor adjustments and potential enrollment trends.
- The Governor Appointee position is open for application and processes are in place for selection of new Board Members in Regions 7A-8A, Regions 3AA-4AA and MASSP (Class A Principal).
- The Excel Award recipients will be featured on Saturday March 19 at the Girls Basketball State Tournament. Triple "A" Banquet is scheduled for March 26 at the Loews Hotel in downtown Minneapolis. Award recipients will be featured on Saturday, March 26 at the Boys Basketball State Tournament.
- League Staff will present sessions during the MnIAAA Conference in late March in St. Cloud.
- The LEAD Network returns Thursday, Feb. 10 at 10:45 a.m.

Executive Committee Report Received

The Executive Committee Report was received and included updates on the following:

February 2

- Approved the agenda and minutes from the Dec. 1, 2021 meeting.
- Approved an amendment to the employment posting of the Associate Director position to increase the hiring to two associate directors to fill both the position vacated by a previous retirement and a pending retirement of a current staff member. This amendment is designed to broaden the pool of candidates, increase the efficiency of hiring and allow League Staff to effectively align responsibilities and duties.
- Approved a one-time payment for all programming staff and administrative assistants. The stipend recognizes the excellent work and efforts of staff members who maintained all League programming at a time of additional challenges and reduced staffing levels.

- Reviewed and approved a partnership between the League and the U.S. Council for Athletes' Health (USCAH) in providing resources for students in the areas of health, safety and wellness programming.
- Updated committee on the Finance Advisory Committee Meeting held on Jan. 25.
- Reviewed the current conference placement process for Ortonville and Clinton-Graceville-Beardsley.
- The Committee previewed COVID Guidance, the recommendation of the Bylaw 110 and 111 Ad Hoc Committee and the first draft of language regarding Name, Image and Likeness. No action was taken on those topics.

Motion by Heier and second by Revenig to approve the Executive Committee Report as presented. Motion passed unanimously.

ITEMS REQUIRING ACTION

Tournament Revenue Share Policy

In June 2021, the Board of Directors approved the recommendation of a Sustainable Financial Model that incorporates any profit or losses during the current school year into the calculation of the next year's membership dues. The approval of the sunseting of the tournament reimbursement policy discontinues any available funds for a reimbursement of tournament expenses.

Motion by Lilleberg and second by Ostrowski to approve a recommendation to sunset the tournament reimbursement policy that previously provided financial support to member schools that had individuals and teams participate in League state tournament events when revenues exceeded expenses and allowed for this disbursement. The motion passed unanimously.

Constitutional Amendment

The proposed amendment seeks to expand the Board of Directors by eight members. This would expand the body of the Board from 22 members to 30 members and would ensure representation from each of the 16 Administrative Regions. The proposal also requires that these 16 positions would be represented by current Activities Directors or individuals with previous AD experience.

Motion by Peschel and second by Ostrowski to deny the request for a constitutional amendment. Motion passed unanimously.

Ad Hoc 110 Recommendation

The recommendation from the Bylaw 110 and 111 Ad Hoc Committee includes new bylaw language for Bylaw 110. The committee developed a recommendation that more closely aligns with the national standard of four years beginning in 9th grade. The recommendation adds clarity to the bylaw and maintains the opportunity for students to participate for one year each in grades 7 and 8.

Motion by Tauer and second by Rocheleau to approve the Bylaw 110 recommendation to advance to the Representative Assembly for consideration in May. Motion approved by 21-0 roll call vote.

GENERAL DISCUSSION ITEMS

COVID Guidance

League Staff shared updated COVID-19 guidance. With winter state tournament events planned in traditional venues and typical formats, League Staff addressed current individual safety requirements as well as Covid Interrupted Competition Guidance.

NIL Policy

League Staff and League Legal Counsel presented information on the recent changes to the legality of profiting from an individual's Name, Image and Likeness while considered an amateur. Potential draft language that incorporates

the League's Bylaws was discussed in an effort to protect a student's amateur status. Additional discussion will take place at the April Board Meeting with potential passage of a Board Policy in June.

COMMITTEE REPORTS

Eligibility Committee

No motion was made regarding Student A. The Board took no action in response to the request considered in closed session to overturn the previous determination of the Eligibility Committee on January 21, 2022, which denied the request for varsity eligibility nor did the Board move to grant additional review.

No motion made on Student B. The Board took no action regarding the request considered in closed session to overturn the previous determination of the Eligibility Committee on December 16, 2021, which denied the request for varsity eligibility nor did the Board move to grant additional review.

Motion by Rocheleau and second by Heier to approve the Eligibility Committee Report as presented. Motion passed unanimously.

Member McDonald left the meeting 12:35 p.m. following the Eligibility Committee Report.

Audit/Finance Committee

League Staff provided updates on the following:

- Reviewed the work done by the Finance Advisory Committee at their meeting on January 25, 2021. Discussed next steps for process for MSHSL Membership Dues for 2022-2023 and the future.
- Discussed a fee increase for the Minnesota Head Coaches Course (MNHCC).

Motion by Guthmueller and second by Ostrowski to approve the November 2021 and December 2021 financial statements as presented. Motion passed unanimously.

Motion by Tauer and second by Heier to approve the committee's recommendation to allow Region 4A to maintain of fund balance of more than 20 percent from the 2021-22 school year to ensure the continuation of business operations. Motion passed unanimously.

Marketing and Communications Committee

League Staff provided updates on the following:

- Minnesota's selection for the NFHS Heart of the Arts Award is Nicholas Fryer of Chatfield High School.
- Minnesota's selection for the NFHS Spirit of Sport Award is St. Michael-Albertville girls soccer coach Megan Johnson.
- League Staff shared a technology update including the development of integrated brackets that will have dates, locations and links to news articles and other information.
- The League will host a Winter Media Forum on Feb. 9.
- School Space media will stream all non-televised winter state tournament except for skiing, which will be provided by the audio/visual department of Virginia High School.
- League Staff shared messaging of Title IX recognition that will be present at state tournament events.
- The next edition of Connect, will be published on Monday, Feb. 7. The Salute to Title IX series continues with a feature on Nordic Skiing's Jessie Diggins of Stillwater Area High School and St. Paul Academy's Annie Hart.
- Delta Dental Minnesota has signed an agreement to be the League's Oral Health Care partner.
- Dunwoody College of Technology will continue to sponsor the League's Robotics State Tournament.
- Moorhead High School gathered the most food donations in the Sack Hunger campaign.

Education and Leadership Committee

League Staff provided updates on the following:

- League Staff is providing opportunities for activities directors to complete the board policy required Minnesota Head Coaches Course-AD Version.
- League Staff organized a training session for new activities directors on Feb. 2. Breakout sessions were included, and another session is planned for April.
- The Officials Service Award winners will be recognized during the boys basketball state tournament.
- An Officials Recruitment Forum is planned in a virtual format on Feb. 21.

INFORMATION ITEMS

The next Board of Directors Workshop will be held on Zoom on Tuesday, March 1, 2022 at 2 p.m. Board workshops are scheduled during the months in which there is not a Board Meeting.

The next Board of Directors Meeting will be Thursday, April 7, 2022 at 9:30 a.m. at a location to be determined.

The MSHSL Hall of Fame Induction Ceremony will take place on Sunday, April 24, 2022 at the Minneapolis Marriott Northwest at a time to be determined.

The following changes have occurred between the last Board Meeting and today. These changes are covered by Board of Directors policies and MSHSL bylaws.

Dissolutions of Cooperative Sponsorships

1. International Falls/Rainy River (Ontario, Canada) - Hockey, Girls

Cooperative Sponsorships

1. Apple Valley/Burnsville/Eagan/Eastview/Hastings/Lakeville North/Lakeville South/Rosemount/Two Rivers - Adapted Soccer, PI
2. Apple Valley/Burnsville/Eagan/Eastview/Hastings/Rosemount/Two Rivers - Adapted Floor Hockey, PI
3. Bloomington Jefferson/Hopkins - Wrestling
4. Carlton/Wrenshall - Track and Field, Boys
5. Carlton/Wrenshall - Track and Field, Girls
6. Columbia Heights/Fridley - Softball, Girls
7. Elk River/Zimmerman - Speech
8. Eveleth-Gilbert/Virginia - Dance, High Kick
9. Eveleth-Gilbert/Virginia - Dance, Jazz
10. Frazee/Pausch Home School - Baseball
11. GFW/Sibley East - One Act Play
12. Goodhue/Northfield - Alpine Skiing, Girls
13. Hill City/Northland - Softball
14. Immanuel Lutheran/Mankato East - Golf, Girls
15. Jordan/Southwest Christian - Lacrosse, Boys
16. Jordan/Southwest Christian - Lacrosse, Girls
17. Detroit Lakes/Hawley/Lake Park-Audubon - Alpine Skiing, Boys
18. Farmington/Prior Lake - Alpine Skiing, Boys
19. Detroit Lakes/Hawley/Lake Park-Audubon - Alpine Skiing, Girls
20. Farmington/Prior Lake - Alpine Skiing, Girls
21. Indus/International Falls/Rainy River (Ontario, Canada) - Hockey, Girls
22. Columbia Heights/New Life Academy - Swimming & Diving, Boys

Ejections - Violation of the Coaches Code of Ethics

1. Bob Montague, Wrestling, Coon Rapids High School
2. Chibuzo Osuchukwu, Girls Basketball, Marshall School, Duluth
3. Jack Strusz, Boys Hockey, Red Wing High School
4. Larry Walechka, Boys Basketball, North Lakes Academy

5. Sarah Tollefson, Boys Hockey, Waseca High School
6. Tim Tasler, Boys Hockey, Tartan High School
7. Woody Balut, Boys Basketball, Mound Westonka

There being no further business, motion by Lilleberg and second by Heier to adjourn the meeting at 12:52 p.m.
Motion passed unanimously.

A handwritten signature in black ink, appearing to read "Eiel Martens". The signature is fluid and cursive, with the first name "Eiel" written in a smaller, more compact script than the last name "Martens".

Executive Director